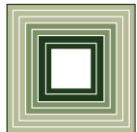


The Administrative Office of the Courts: Workload and Personnel

William Childs
Fiscal Research Division
March 3, 2015



FISCAL RESEARCH DIVISION
A Staff Agency of the North Carolina General Assembly

JPS General Fund Budget by Agency FY 2014-15



Appropriation: \$2.4 billion
Receipts: \$235 million
Total GF Budget: \$2.6 billion

Source: NCAS, December 31, 2014 Authorized Budget

AOC

Administrative Office of the Courts (AOC)

Administrative arm of the court system

Mark Martin, Chief Justice

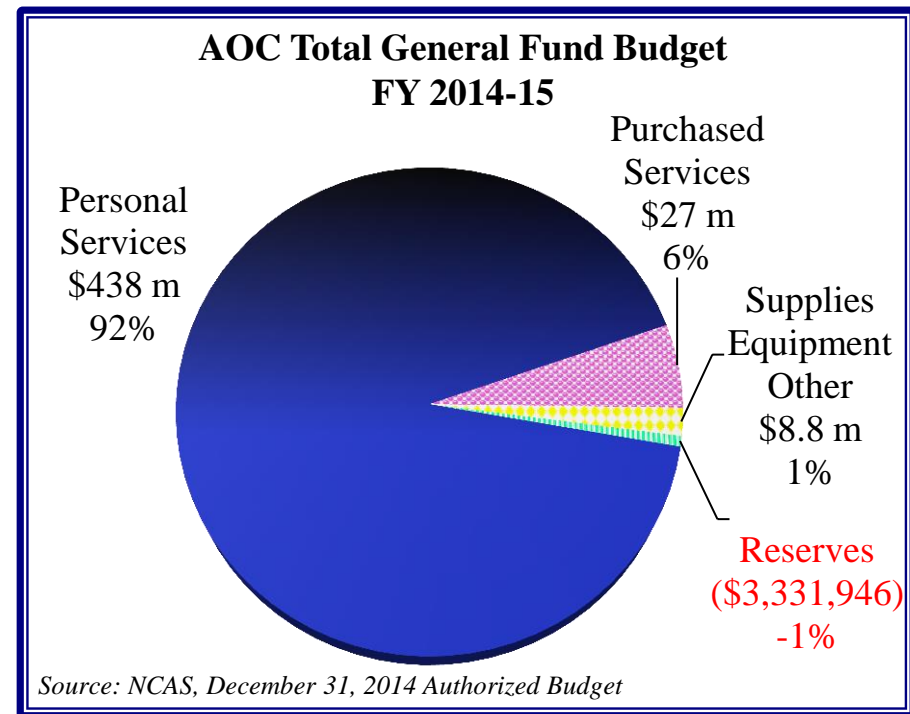
John Smith, Director of AOC

Includes:

- Supreme Court and Court of Appeals
- Superior courts
- District courts
- District Attorneys
- Magistrates
- Clerks
- **533 Elected Officials**

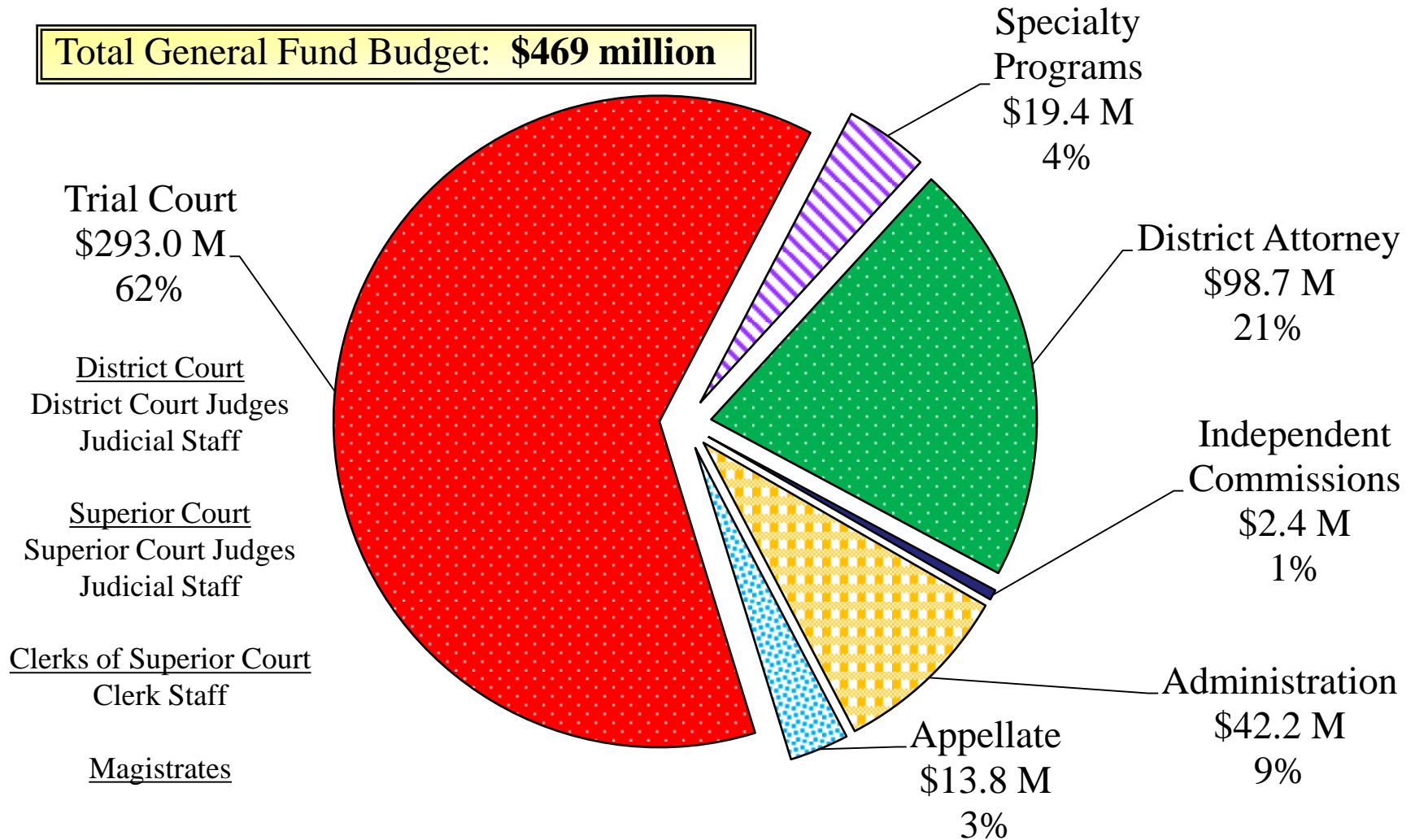
Total General Fund Budget: \$469 million

Total FTE Employees: 5,831.3



AOC Budget By Program FY 2014-15

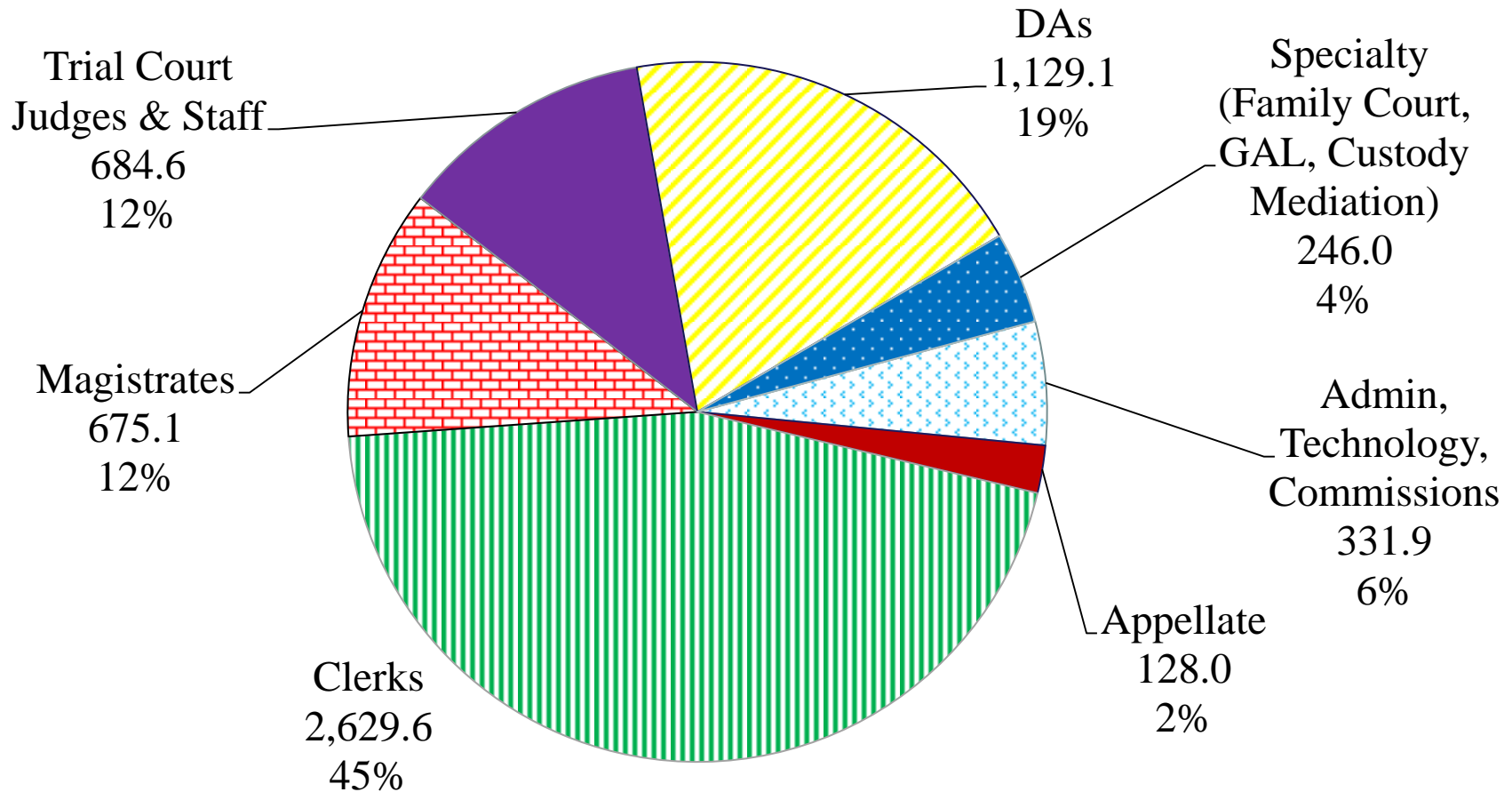
Total General Fund Budget: **\$469 million**



Source: Authorized Budget, December 31, 2014

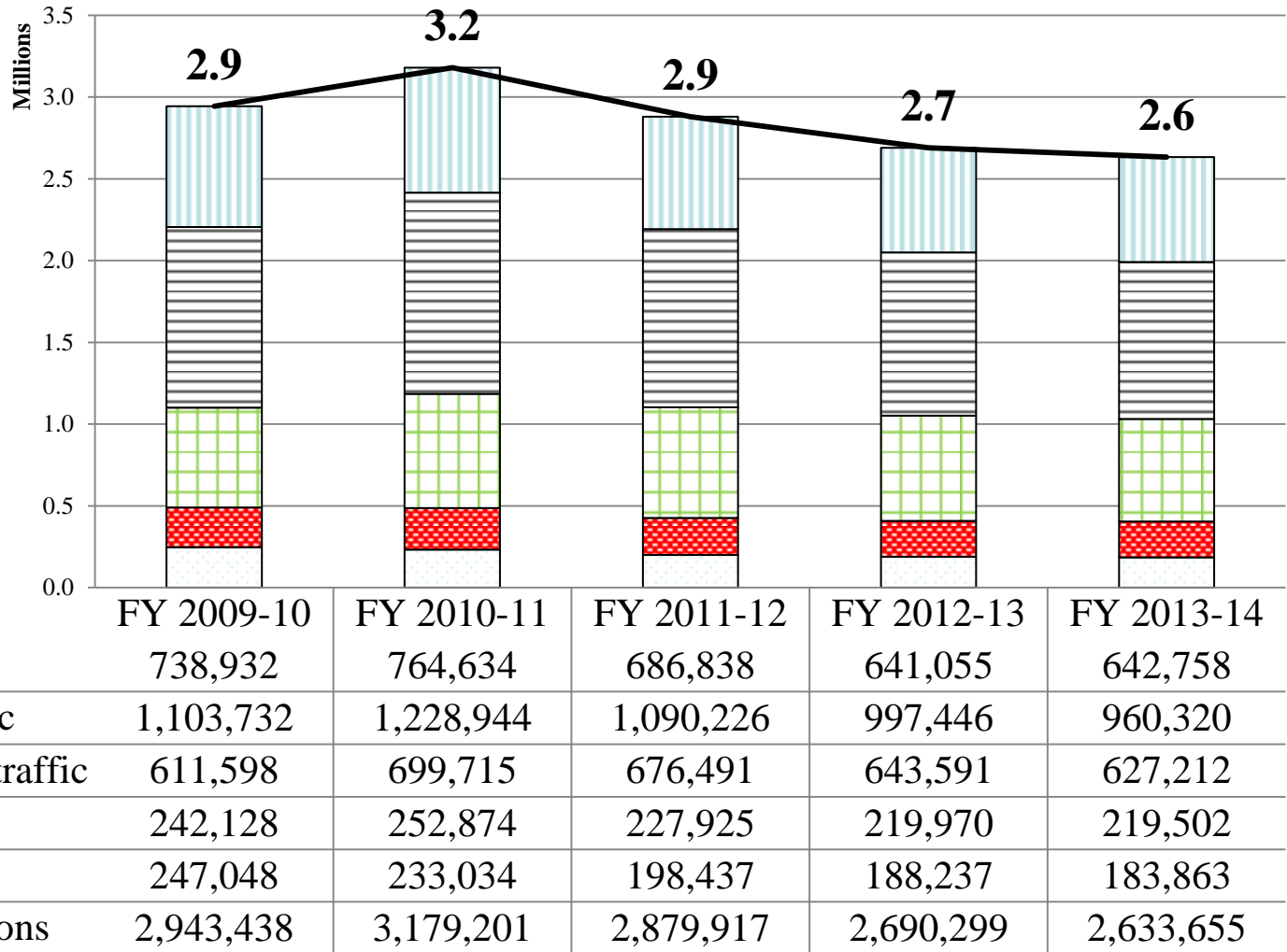
AOC Personnel FY 2014-15

Total General Fund FTE: **5,824.3**



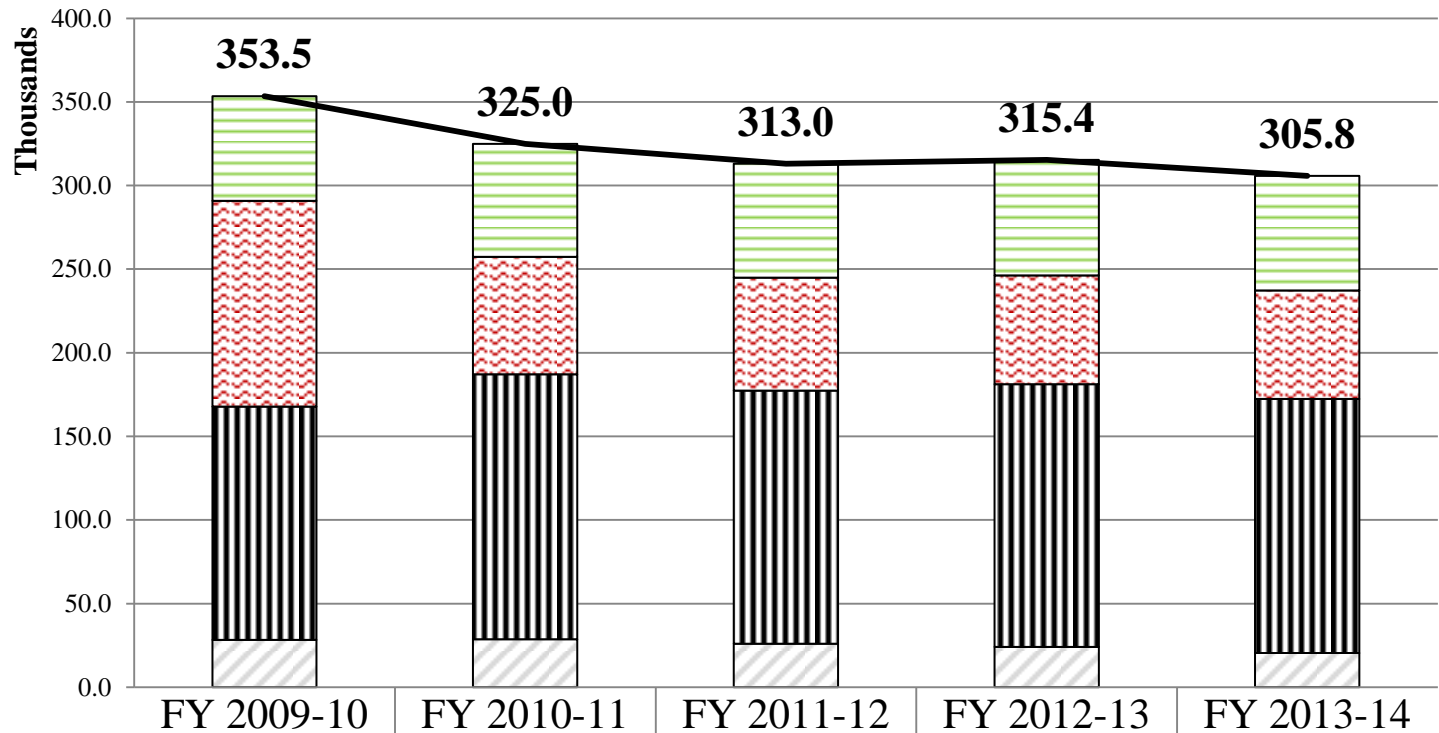
Source: BEACON, December 31, 2014

District Court Dispositions



Source: AOC

Superior Court Dispositions



Estates	FY 2009-10	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-14
Special Proceedings	62,530	67,636	68,149	69,088	68,426
All Criminal	123,219	70,305	67,462	65,239	65,024
Civil	139,410	158,337	151,498	157,100	151,892
Total	28,305	28,725	25,939	24,002	20,424
	353,464	325,003	313,048	315,429	305,766

Source: AOC

Traditional Allocation of Court Resources

- At the beginning of a legislative session, AOC would report on need in different offices
- No objective measures
- NCGA allocated resources as needed
- Statute reflects the minimum number of ADAs, magistrates, and District Court and Superior Court judges for all districts

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Workload Formulas

- 2007: AOC and National Center for State Courts (NCSC) began work on objective workload formulas
- Currently considered a national standard for court workload formulas by NCSC
- Conducted time studies to determine appropriate number of courthouse personnel:
 - Clerks of Superior Court
 - Superior Court Judges
 - Superior Court Staff
 - Assistant District Attorneys and Victim-Witness Legal Assistants
 - District Court Judges
 - District Court Staff
 - Magistrates

Workload Formulas

- Time studies in different-sized courthouses around the State:
 - Estimates case-related work versus administrative work for each type of worker in the courthouse.
 - Used to determine case weights by type of offense
- For instance, average time spent by ADA:
 - 6.5 minutes on traffic case
 - 10,172 minutes on 1st degree murder
- Workload Need =
$$\frac{\text{Filings x Case Weight}}{\text{Case-Related Work Per Year}}$$

NCSC Workload Assessments

- “*Workload Assessment: A Data-driven Management Tool for the Judicial Branch*” (2013)
 - Outlines recommended workload assessment process, including advisory committee, time study, and quality adjustments
 - Does not include on-bench time as a measure
- NCSC workload formulas in use in 25 states
- Assessments in 38 states and 2 territories
- Results include:
 - Increase in number of judges in CA and WI
 - Reduction in number of judges in MI
 - Judicial boundaries to be redrawn in VA

Clerk of Court Workload

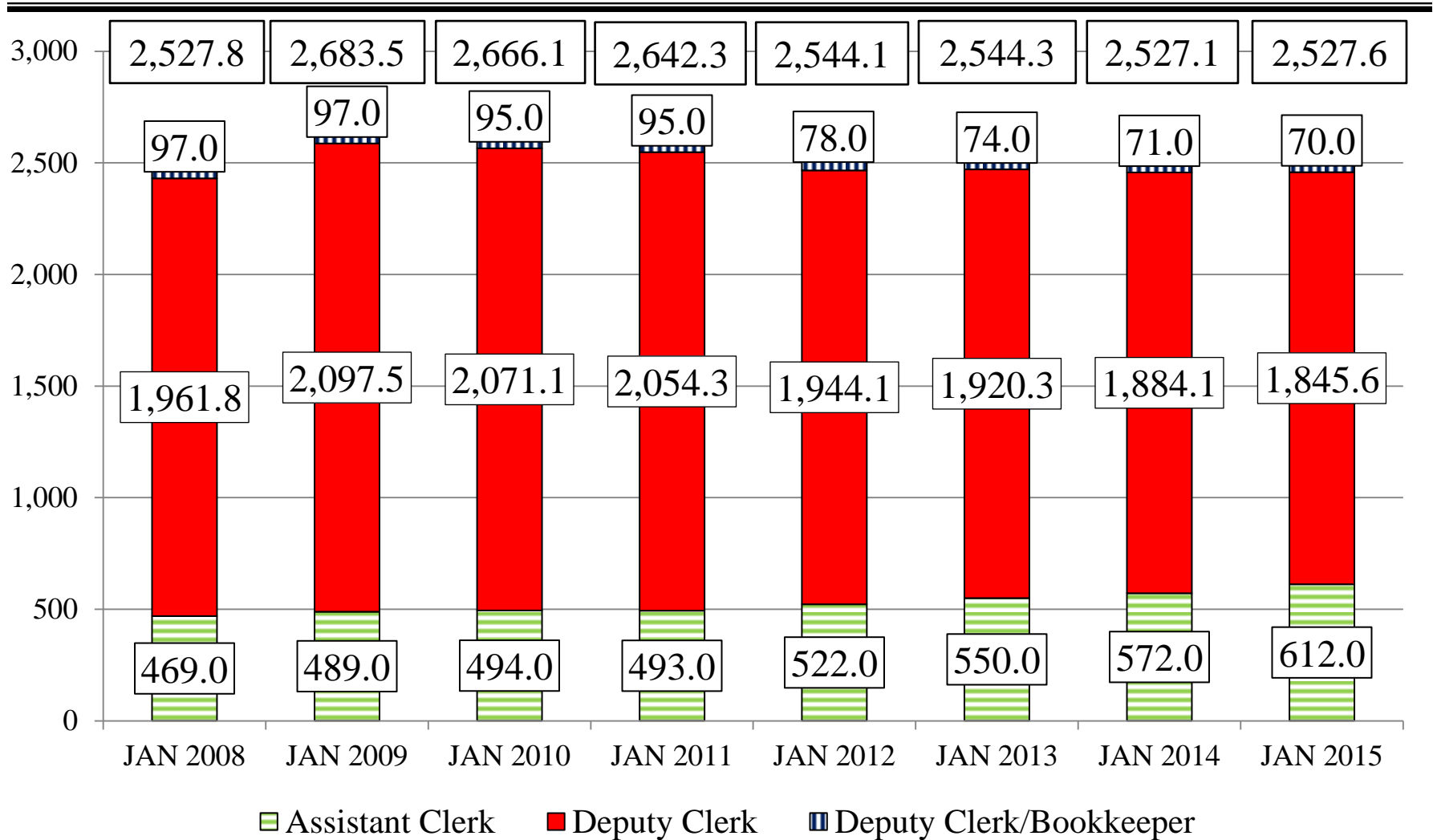
Authorized	Need (minimum of 6)
2,629.6	2,754.0

Greatest Need by Number	Clerks Needed	Greatest Need by Percentage	Workload to Need Ratio	Clerks Needed
Wake	48.2	Wake	76.8%	48.2
Mecklenburg	40.0	Onslow	79.0%	11.2
Cumberland	18.9	Brunswick	81.0%	6.6

Least Need by Number	Over	Least Need by Percentage	Workload to Need Ratio	Over
Hertford	2.3	Vance	125.9%	4.3
Gaston	2.6	Hertford	126.9%	2.3
Vance	4.3	Northampton	131.0%	1.9

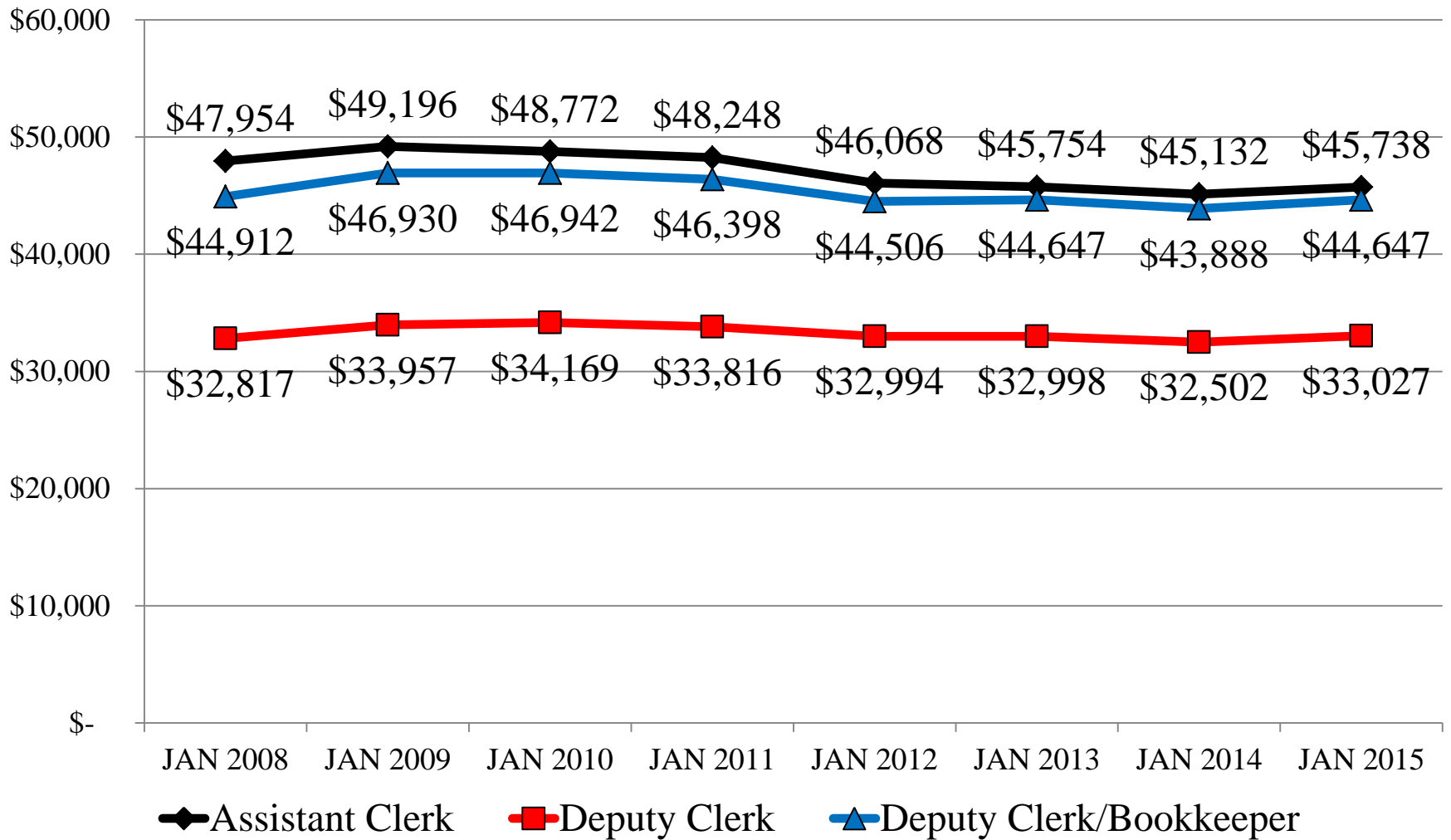
Source: AOC, January 1, 2015

Clerk Personnel, 2008 to present



Source: BEACON, February 1, 2015

Clerk Average Compensation, 2008 to present



Source: BEACON, February 1, 2015

Magistrate Workload

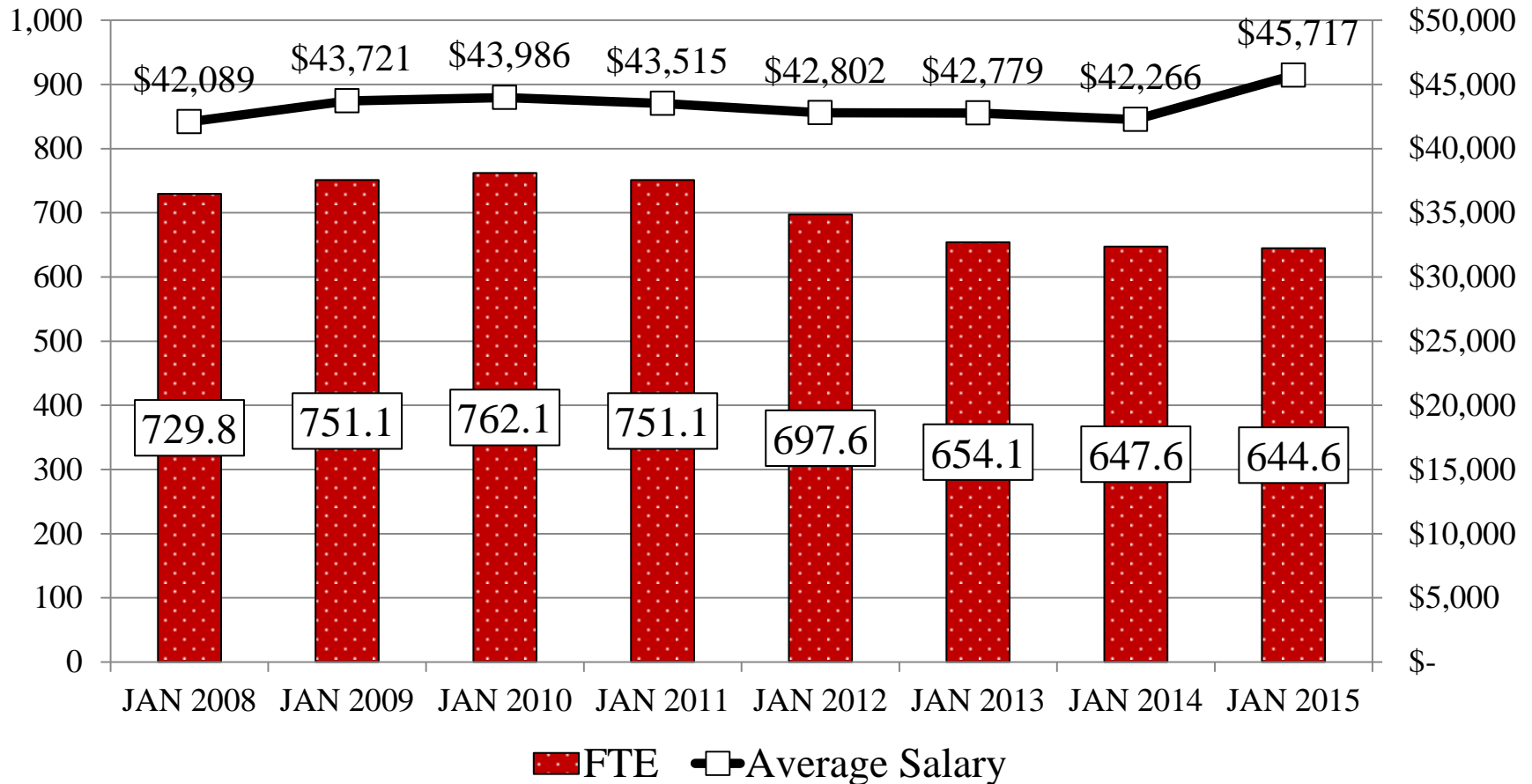
Authorized	Need (minimum of 3)
674.6	692.5

Greatest Need by Number	Magistrates Needed	Greatest Need by Percentage	Workload to Need Ratio	Magistrates Needed
Mecklenburg	25.2	Mecklenburg	57.1%	25.2
Wake	17.9	Wake	60.2%	17.9
Guilford	10.2	New Hanover	71.7%	5.1

Least Need by Number	Over	Least Need by Percentage	Workload to Need Ratio	Over
Craven	1.8	Stanly	139.4%	1.4
Wilkes	1.9	Granville	140.1%	1.4
Gaston	2.4	Wilkes	145.0%	1.9

Source: AOC, January 1, 2015

Magistrate Personnel and Average Compensation, 2008-present



Source: BEACON, February 1, 2015

Clerk and Magistrate Step Plans

- Clerk increase provided annually on anniversary date based upon satisfactory job performance
- Assistant Clerk of Superior Court:
 - Min: \$32,609 / Max: \$56,424
 - Plan includes 15 steps
- Deputy Clerk of Superior Court:
 - Min: \$28,223 / Max: \$44,107
 - Plan includes 13 steps
- Magistrate increase provided on anniversary date
 - Entry rate: \$35,275 / Max: \$56,900
 - Contains 6 steps above entry rate
 - No steps after 18 years of experience

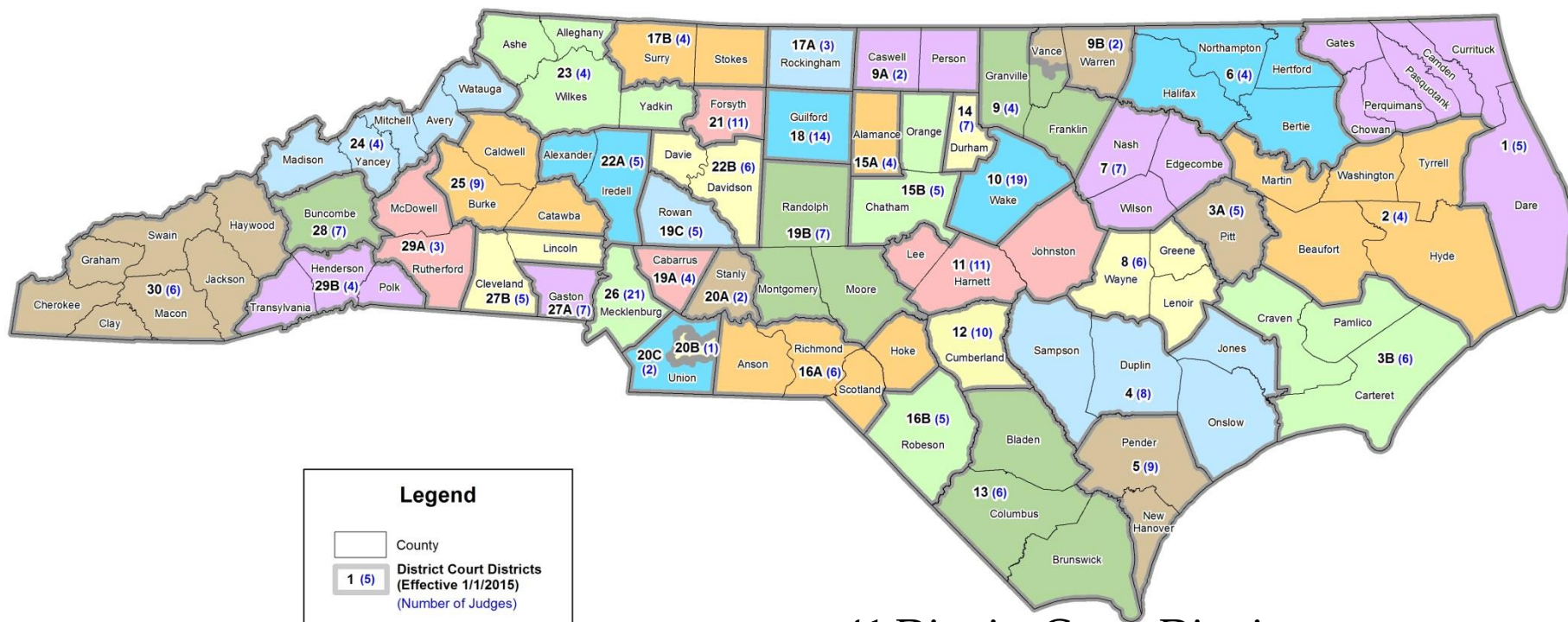
Legislative Actions on Clerk and Magistrate Step Plans

- No experience-based steps provided in budget from FY 2009-10 to FY 2013-14
- Provided 1.2% across-the-board increase to all State employees in FY 2012-13, including those on statutory plans
- 2013 Budget:
 - Provided funding for experience-based step for all step-eligible assistant and deputy clerks: \$3,621,172
 - Increased the entry rate of pay and all steps for magistrates and provided funding for one experience-based step for all step-eligible magistrates: \$3,733,327

Clerk and Magistrate Turnover, FY 2013-14

- Deputy Clerks:
 - 12.0% total
 - 10.2% voluntary, includes 3% retirement
- Assistant Clerks:
 - 8.7% total
 - 7.9% voluntary, includes 6.4% retirement
- Magistrates:
 - 5.4% total
 - 5.3% voluntary, includes 3.3% retirement

District Court Districts (Effective 1/1/2015)



Not depicted here is one at-large judgeship in Union County, designated as district 20D.

Map based on G.S. 7A-133.

Printed by the NC General Assembly, October 03, 2014.



District Court Judge Workload

Authorized

270.0

Need

283.5

Greatest Need by Number	Judge Need	Greatest Need by Percentage	Workload to Need Ratio	Judge Need
District 18 (Guilford)	3.2	District 19A (Cabarrus)	73.1%	1.5
District 21 (Forsyth)	2.3	District 22A (Alexander, Iredell)	79.8%	1.3
District 4 (Sampson, Duplin, Jones, Onslow)	1.8	District 29A (McDowell, Rutherford)	79.8%	0.8

Least Need by Number	Over	Workload to Need Ratio
District 9/9B (Granville, Vance, Franklin, Warren)	1.1	122.6%

Source: AOC, January 1, 2015

District Court Staff Workload

Authorized

90.0

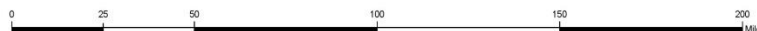
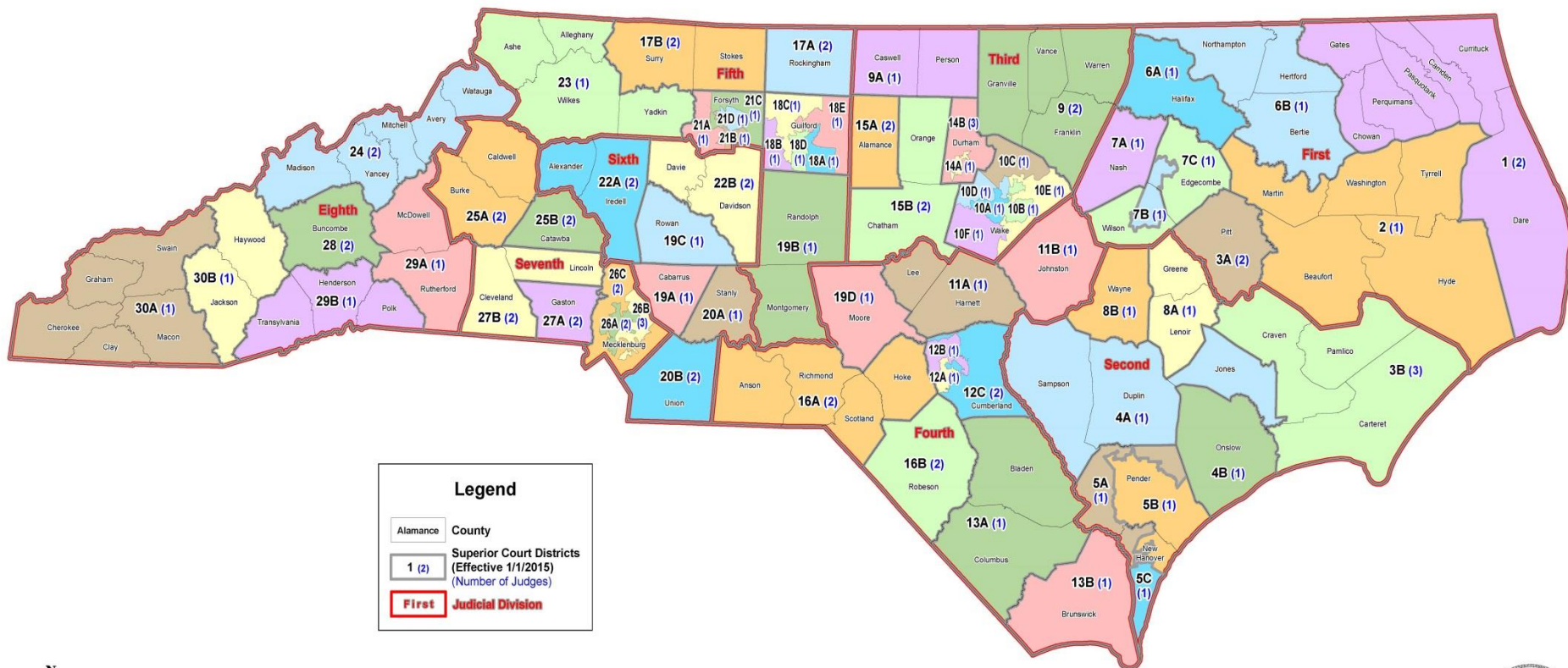
Need

112.0

Greatest Need by Number	Staff Need
District 21 (Forsyth)	2.5
District 10 (Wake)	2.25
District 4 (Sampson, Duplin, Jones, Onslow)	2.0

Source: AOC, January 1, 2015

Superior Court Districts and Judicial Divisions (Effective 1/1/2015)



Not depicted here is one at-large judgeship in Union County, designated as district 20D.

Map based on G.S. 7A-41

Printed by the NC General Assembly, October 08, 2014.



8 Superior Court Divisions
50 Superior Court Districts
112 Superior Court Judges

Superior Court Judge Workload

- NCSC report: *North Carolina Superior Court Judicial Workload Assessment* (2011)
 - Found need for **111.8 Superior Court Judges**
 - Key points from Quality Adjustment section:
 - Judges want more time to draft and review orders
 - Pretrial conferences lead to efficiency
 - Calendaring practices in NC affect judicial time:
 - Rotation leads to last-minute motions and settlements
 - DA control of criminal calendars
 - Court sessions organized around week
 - Time Study findings:
 - Superior Court Judge-Year is 217 days
 - similar to other states with assessment

Superior Court Judge Workload

Judges	Resident Judges	Need	Special Judge Need
Division 1	10.0	11.4	1.4
Division 2	10.0	9.9	No Need
Division 3	17.0	15.8	No Need
Division 4	13.0	14.8	1.8
Division 5	15.0	13.2	No Need
Division 6	9.0	9.1	0.1
Division 7	15.0	18.0	3.0
Division 8	8.0	7.5	No Need
Business Court	0.0	3.0	3.0
Total	97.0	102.7	9.3

Source: AOC, January 1, 2015

Superior Court Staff Workload

Authorized

89.5

Need

94.0

- 14 districts are short 1 FTE
- 10 districts have at least 0.5 FTE over workload formula

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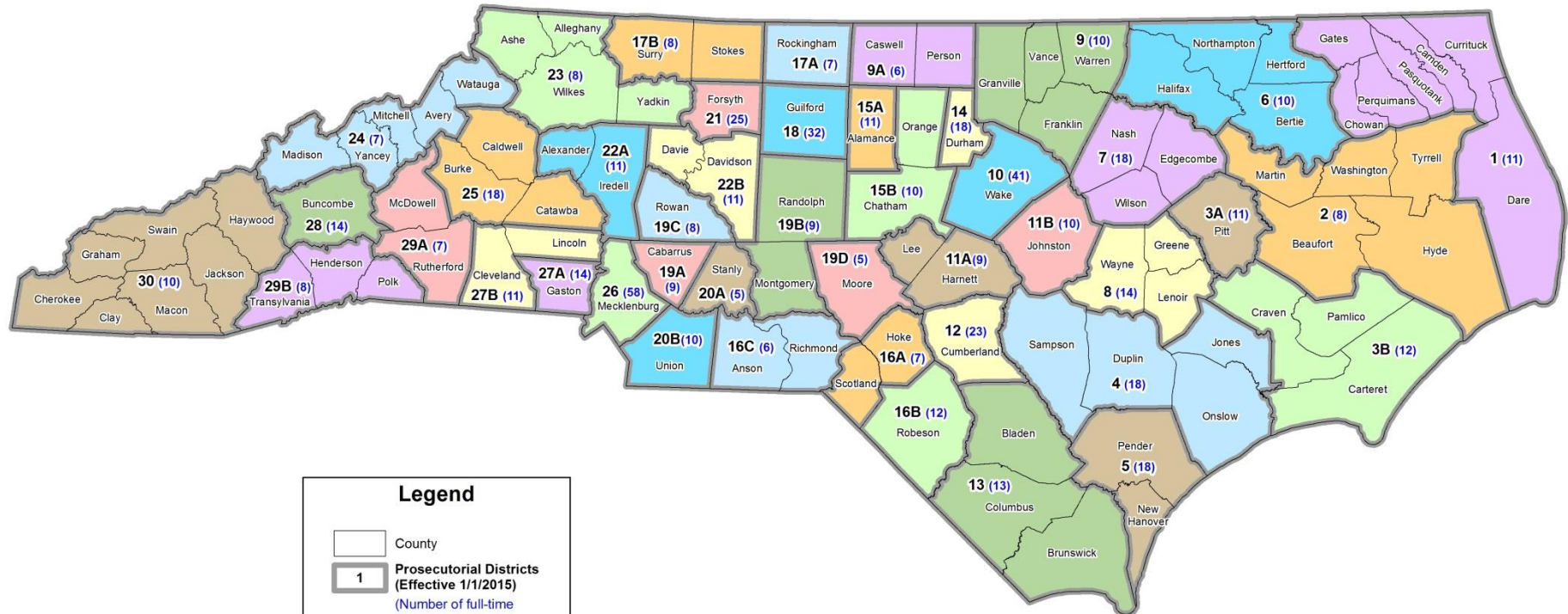
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"Maybe next time we'll all listen to the gavel."

Source: AOC, January 1, 2015

Prosecutorial Districts (Effective 1/1/2015)



44 District Attorneys
44 Prosecutorial Districts



Map based on G.S. 7A-60 (a1)
Printed by the NC General Assembly, October 6, 2014.



District Attorney Staff Workload

All Staff (State, local, and grant funded)

1,207.6

All State-funded Staff

1,118.5

Need

1,239.8

Greatest Need by Number	DA Staff Need	Greatest Need by Percentage	Workload to Need Ratio	DA Staff Need
District 18 (Guilford)	22.7	District 18 (Guilford)	72.2%	22.7
District 10 (Wake)	8.7	District 11A (Lee, Harnett)	73.6%	6.8
District 11A (Lee, Harnett)	6.8	District 3A (Pitt)	77.1%	6.5

Least Need by Number	Over	Least Need by Percentage	Workload to Need Ratio	Over
District 15A (Alamance)	3.9	District 20B (Union)	114.3%	2.5
District 21 (Forsyth)	4.0	District 15A (Alamance)	120.4%	3.9
District 26 (Mecklenburg)	34.7	District 26 (Mecklenburg)	133.2%	34.7

Source: AOC, January 1, 2015

District Attorney Staff Workload

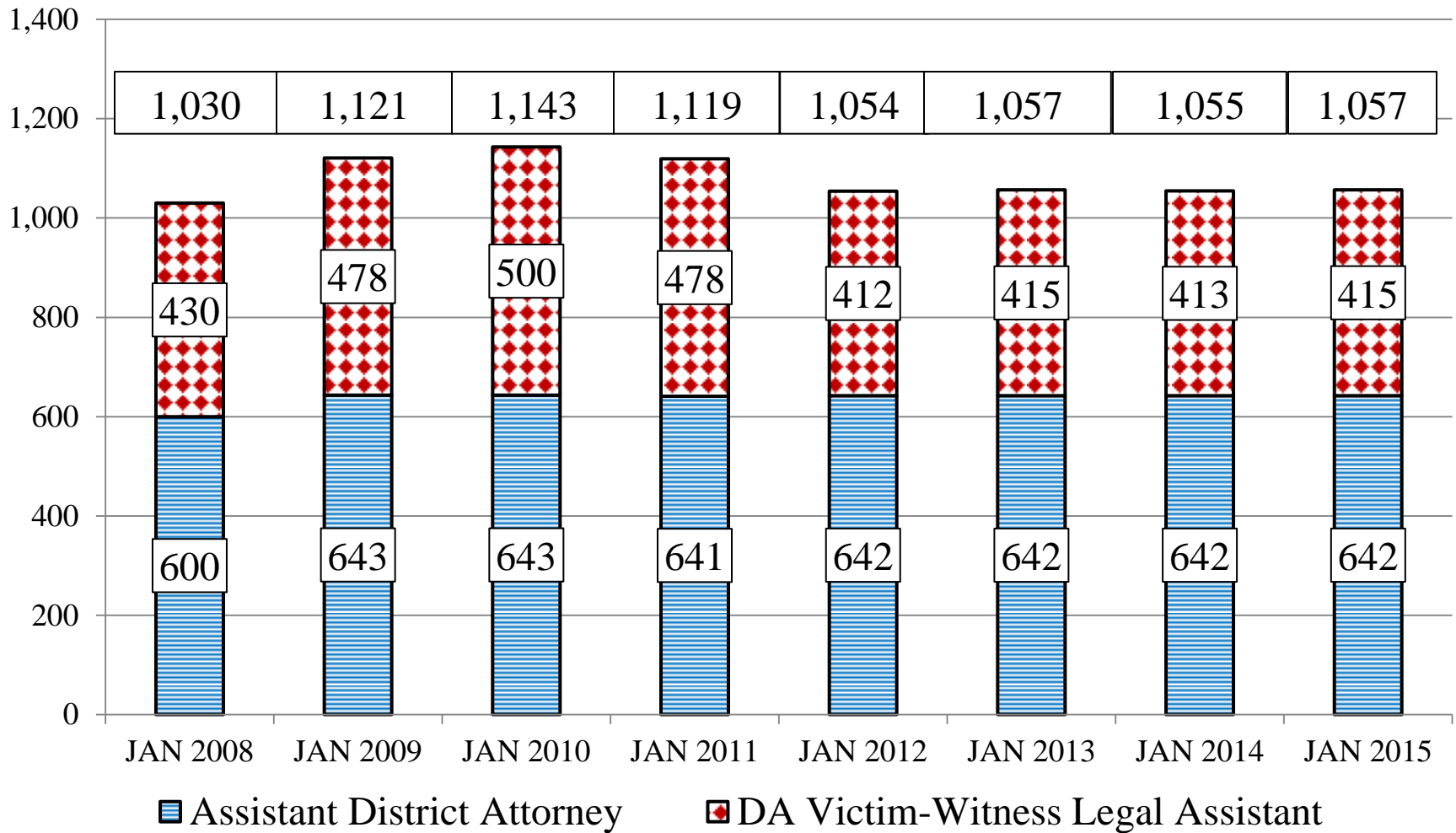
	State-Funded	Grant-Funded	Need
ADAs	638.0	47.0	707.5
VWLAs	381.8	-	430.2
Other DA Staff	98.8	45.1	102.0
Total	1,118.6	92.1	1,239.8



"This judge is known as tough but fair, with a great sense of humor."

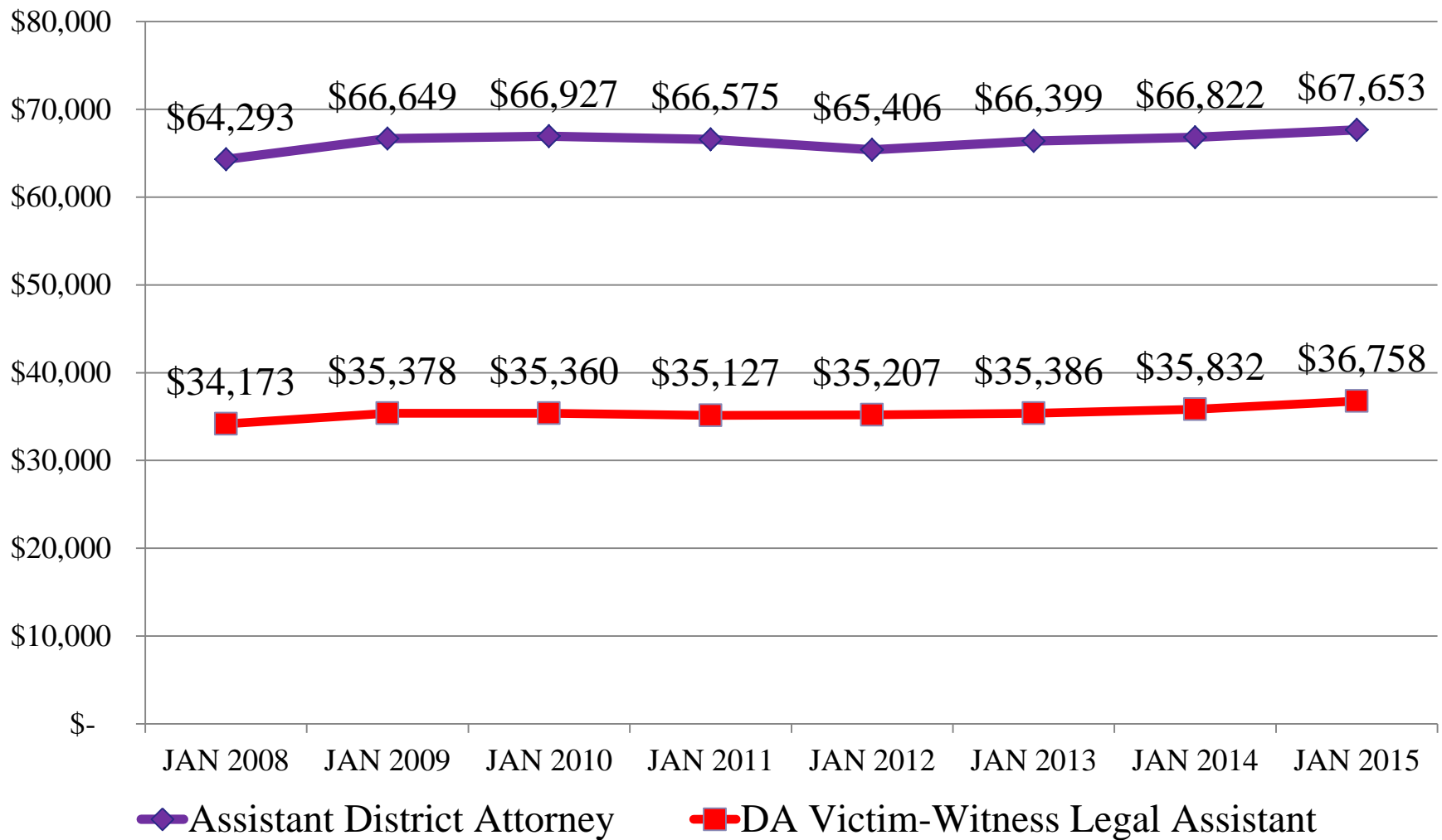
Source: AOC, January 1, 2015

DA Personnel, 2008 to present



Source: BEACON, February 1, 2015

DA Staff Average Compensation, 2008 to present



Source: BEACON, February 1, 2015



QUESTIONS?

